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OTHER ISSUES

TRADITIONAL PRACTICES AFFECTING THE HEALTH OF WOMEN AND THE GIRL CHILD

Sixth report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child, produced by Mrs. Halima Embarek Warzazi pursuant to Sub-Commission resolution 2000/13*

* In accordance with General Assembly resolution 53/208, paragraph 8, this document is submitted late so as to include the most up-to-date information possible.

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Introduction

1. In its resolution 1998/16, the Sub-Commission recommended that the mandate of the Special Rapporteur on traditional practices affecting the health of women and the girl child should be extended to ensure the completion of her task, as called for in resolution 1996/19, and at the same time to enable her to follow up recent developments at all levels, including the General Assembly. In 2000, the Sub-Commission and the Commission on Human Rights extended the mandate of the Special Rapporteur. In its resolution 2001/13 the Sub-Commission requested the Special Rapporteur to submit an updated report at its fifty-fourth session. This sixth report is thus submitted pursuant to the resolutions referred to above.

2. This year, the Special Rapporteur received information from the following countries: Chile, Denmark, Mexico, Qatar and Tunisia. She also received submissions from the Inter-Parliamentary Union, the World Health Organization, the Working Women's Forum (India) and the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children. The Special Rapporteur would like to thank those countries and organizations for the interest they have shown in the subject, but she continues to regret the scarcity of respondents and the lack of information, which, she hopes, should not be interpreted as a lack of commitment to the elimination of harmful traditional practices. The Special Rapporteur also wishes to express her gratitude to private individuals who continue to convey to her information arising from their investigations into traditional practices and their personal assessments of particular cases.

3. Despite the disappointment voiced in previous reports, the Special Rapporteur notes that mobilization within the societies affected by the phenomenon of harmful traditional practices remained a force for positive change, albeit slow and uneven, depending on the particular practice concerned. She regards it as an encouraging sign that harmful traditional practices are receiving constantly increasing attention at national, regional and international levels. The growing interest in these questions shown by other human rights mechanisms is also to be noted.

4. Thus, the Special Rapporteur wishes to express her appreciation to the Special Rapporteur on violence against women, its causes and consequences and to the Special Rapporteur on freedom of religion or belief, who have both devoted their reports to the fifty-eighth session of the Commission on Human Rights to the subject of harmful traditional practices, and she will take the opportunity in the present report to make some comments on their findings.

5. The Special Rapporteur recalls that two years ago she asked for priority attention to be paid to crimes of honour, which require urgent, concerted action by the international community, combined with respect for the culture of the regions and countries most affected, and to harmful traditional practices other than female genital mutilation. She notes that the different practices she encounters in the exercise of her mandate are increasingly closely related to forms of violence against women. Thus, the majority of replies received from countries - with the exception of Denmark - do not concern female genital mutilation. The Special Rapporteur has decided to devote this report to an update of measures taken at national and international level against female genital mutilation, and to review some of the information made available to her concerning other traditional practices.

I. FEMALE GENITAL MUTILATION: NATIONAL, REGIONAL AND INTERNATIONAL INITIATIVES

A. National initiatives

1. Information supplied by Governments

6. In her preceding reports the Special Rapporteur mentioned legislative measures and policies recently adopted by countries that have had to deal with the practice of female genital mutilation practised by certain immigrant populations. This year, Denmark has forwarded to the Special Rapporteur details of an information and prevention campaign relating to female genital mutilation targeted towards immigrant populations, particularly the Somali population. The campaign, initiated in 1996 for a period of four years, was also intended for teachers, health professionals and other social workers, in order to equip them to deal with the situations encountered, whether the girls had already undergone or were about to undergo genital mutilation. The campaign took the form of (1) the distribution of information sets to personnel working in the health and social sectors; (2) the production of a film intended for Somali communities; (3) the holding of discussions within the community; and (4) assistance for local programmes and initiatives to combat and prevent the practices. The information material continues to be used. Since the prevention of female genital mutilation is a priority in its external aid policy, Denmark has financed numerous projects and campaigns at the local level in Uganda, Burkina Faso, Benin and Niger, as well as financing some Inter-African Committee activities during 2000.

2. Other sources of information

7. The information made available to the Special Rapporteur from various sources indicates an increasing involvement of European countries in the fight against female genital mutilation. Like Denmark, some countries have adopted legislation and implemented policies to combat the problem. They continue to mobilize their efforts, and others are beginning to do so. As an example of this, in 2001 the Swedish National Board of Health and Welfare organized consultations on female genital mutilation at Strasbourg attended by members of the European Parliament, representatives of WHO and the Inter-African Committee and in particular members of the European network for the prevention of female genital mutilation. These consultations led to discussion of a joint action programme against the practice. The Norwegian Agency for Development has likewise held a workshop on the subject to discuss, inter alia, its action plan to combat female genital mutilation among immigrant populations among whom these practices exist.

8. Other successful meetings, consultations and initiatives have been held in Madrid, Vienna and Brussels. The struggle against female genital mutilation has been discussed in the context of immigration and the fight against discrimination against women, poverty and ignorance. Among those meetings, the Special Rapporteur wishes to single out the seminar held in July 2001 in Vienna to discuss the attitude of men to female genital mutilation. The seminar provided participants with an opportunity to discuss the consequences of the practice, to set out their views for or against it and to hear the point of view of young people on the subject.

9. The Special Rapporteur welcomes the growing awareness of the so-called receiving countries, which she considers positive. She wishes, nevertheless, to emphasize the need for any policy to be conducted with respect for the traditions and culture of the populations concerned. While condemnation of female genital mutilation must be unequivocal, the message must be put across with tact and intelligence. It is essential to distinguish between cultural and traditional practices and the cultural values underlying them. In that way, it will be possible to modify practices without damage to culture and tradition.

10. The Special Rapporteur points out that the information brought to her attention on national activities relates to six major lines of action: projects aimed at young people; alternative employment opportunities for women who perform excisions; training and information programmes; activities to promote the establishment of networks to campaign against female genital mutilation; publication of research work and studies; and the publication and distribution of campaign and training materials.

11. In its assistance projects, the Inter-African Committee has targeted the majority of its awareness campaigns at young people - a choice emanating from the recommendations adopted by the Youth Forum held in Addis Ababa from 25 to 27 April 2000, and mentioned by the Special Rapporteur in her preceding report (E/CN.4/Sub.2/2001/27, para. 79). The Forum, attended by over 60 young people from 16 African countries, demonstrated the formidable commitment of African youth against female genital mutilation. The Special Rapporteur is pleased to note that the national support and cooperation activities of the Inter-African Committee have lent further force to these efforts. In Benin a drawing competition on the subject of violence against women, including genital mutilation, was organized by Women in Law and Development in Africa, in cooperation with local journalists. Plays on the subject were staged and awareness campaigns on the subject of violence against women and children were conducted in secondary schools. Over 8,500 students at 17 secondary schools were actively involved in the campaign.

12. Similar activities involving schoolchildren and young people were conducted successfully in Burkina Faso, Chad, Ethiopia, Gambia, Ghana, Guinea, Kenya, Liberia, Mali, Mauritania, Niger, Nigeria, Tanzania, Togo and Uganda. Many of those countries have established training programmes for young teachers on the harmful effects of genital mutilation and some other traditional practices. Once trained, these young people go off to rural and remote areas to raise the awareness of local people. In a country like Gambia, adolescent girls have been informed about protected sexual relations, the choices open to young girls and the control that they are entitled to exercise over their sexual life. In the Dodoma region of Tanzania, for example, young people have been acquainted and familiarized with rites of passage from childhood to adolescence other than female genital mutilation, which for generations has been the only rite of passage known to them. The training courses also provided an opportunity to discuss not only female genital mutilation, but also other harmful traditional practices, sexually transmitted diseases, in particular the HIV virus, and the problems of drugs and of poverty.

13. The organizations working in the field are particularly aware of the need to provide an alternative occupation for women performing the excisions and of maintaining the respect and appreciation that they enjoy in society. In some countries local organizations have held training courses to acquaint and familiarize these women with new activities and to encourage them to

enter the small business sector. Programmes have been established in Kenya, Mali, Mauritania, Sudan, Niger, Gambia, Nigeria, Guinea and Ghana. Over and above training as such, the World Bank, for example, has contributed to the establishment of two groceries in the villages of Kouroussa and Kerouane in Guinea run by former excisionists trained to undertake the new occupation. Similar initiatives have been launched in the other countries mentioned above. In Niger, programmes for converting excisionists into midwives trained in infant care have been established in 10 localities. Furthermore, in Mali, former excisionists have been retrained to such trades as poultry farming, weaving and soap-making.

14. In the training of young information and communication instructors, the Inter-African Committee has adopted a simple strategy. It is making provision for 28 instructors to attend a series of workshops to equip them to train local agents. Once their own training is completed the young instructors will be qualified to take over the training of 136 agents, who will then proceed to the most remote regions to educate the local people. Such campaigns have been conducted with varying success in Benin, Burkina Faso, Cameroon, Ethiopia, Ghana, Guinea, Liberia, Mali, Niger, Nigeria, Sudan and Tanzania. In Benin a symposium on the place and role of leaders in combating female genital mutilation was held in December 2001, with financial assistance from the United Nations Development Fund for Women in Dakar, bringing together over 200 traditional chiefs and religious leaders to discuss the question. Similar meetings involving traditional chiefs and religious leaders have been held in Mali, Niger and Uganda. The participants took the opportunity to speak out once more against female genital mutilation, and to deny its alleged religious basis. Moreover, Benin, particularly Ketou Province, provided the setting for launching a campaign, supported by the Danish Embassy, against the HIV virus, during which the risks of infection associated with female genital mutilation were also discussed. The HIV virus was also one of the main themes of the training campaigns held in Liberia and Sudan.

15. Some organizations are endeavouring to involve African Governments as actively as possible in the eradication of harmful traditional practices, including female genital mutilation. They are trying to strengthen their activities at the local level and to widen regional cooperation by forging links and by networking with organizations active in neighbouring countries. That strategy enables them, inter alia, to build up solidarity and to have access to information on the practices and on legislative measures that have proved successful. Although the list of countries active against female genital mutilation is not exhaustive, the Special Rapporteur welcomes all such activities and initiatives, which are playing an essential part in working for a lasting, in-depth change of attitudes and practices, and accordingly, for the eradication of female genital mutilation.

B. Regional initiatives

16. Like some countries in Europe and within the framework of the general concerting of efforts against female genital mutilation, the European Parliament is increasingly aware of the need to take legislative and other measures to combat this problem that many migrant communities have imported into member countries. Following upon a proposal made by the Committee on Women's Rights and Equal Opportunities, the European Parliament adopted

in 2001 resolution 2001/2035 (INI) on female genital mutilation. Its adoption was justified by the extent of the phenomenon and, in particular, the fact that such practices conflict with international and European norms and standards. In taking that action, the European Union wished to encourage countries where female genital mutilation is practised to adopt appropriate legislation to combat and prevent the practice. The resolution also provided additional justification for the European Union's aid policy towards many developing countries regarding the protection and promotion of women's rights and the struggle against harmful traditional practices.

17. The resolution adopted by the European Parliament contains over 29 recommendations. It strongly condemns female genital mutilation and calls for priority action to combat the practice as part of strategies against the discrimination and violence against women that are its corollary. It calls for an in-depth inquiry to ascertain the extent of the problem in member countries of the European Union, and opposes any medicalization of the practice. In implementing the resolution, member States are urged to increase their financial assistance in this field to developing countries. Female genital mutilation should be incorporated in the list of serious violations of the basic rights of the person and must become a priority of cooperation policy.

C. International initiatives

18. On 12 September 2001, the Inter-Parliamentary Union, at the 106th Inter-Parliamentary Conference in Ouagadougou, and on the initiative of the Sixth Meeting of Women Parliamentarians, organized a discussion panel on "violence against women: female genital mutilation". The discussions, attended by more than 120 parliamentarians from a large number of countries, mainly African, recognized the importance of legislation in the field, but took the view that it was only one of a wide variety of measures that needed to be taken against the age-old practice of female genital mutilation. Training and education, creation of public awareness and the provision of adequate funding, particularly for the retraining of excisionists, were other major elements in the struggle against such practices.

19. At the conclusion of the panel, the parliamentarians adopted a series of recommendations. One proposal was the setting-up of a think tank of men and women parliamentarians both from the countries where such traditional practices were still routine, and from the countries to which their nationals emigrated. The participants would be able to exchange information on legislation, policies and programmes implemented in their respective countries with a view to identifying positive experiences. It was recommended that the think tank should be coordinated by the African Group. Its tasks would include preparing a compilation of all legislative measures and creating a database on the subject.

20. The World Health Organization, for its part, considers that all efforts to eliminate female genital mutilation should have the ultimate aim of terminating all forms of gender-based violence. It opposes any medicalization of the practice, whereby operations would be carried out by health professionals. WHO is working with numerous countries, mainly in Africa in training social workers, health professionals and other persons who might find themselves confronted with the problem, so that they can deal with the complications of such practices and help to prevent actual mutilations. In 2001 WHO published guides and manuals for teachers, students

and health professionals. Recently it has also undertaken an evaluation of activities to combat female genital mutilation, in particular the relevant norms, standards and guidelines. It is now focusing on the implementation, monitoring and evaluation of such norms and standards at the national level, and has provided some of its regional offices with funds to strengthen their activities in this field.

D. Activities of the Special Rapporteur

21. As part of the broader study on the exportation into so-called receiving countries of certain harmful traditional practices, particularly female genital mutilation, the Special Rapporteur and the Inter-African Committee decided to hold a consultation on the question. One of the objectives of the consultation, which was held in Geneva on 24 May 2002, was to examine the extent to which such mutilations are practised in countries where some migrant populations are persisting with them, and the way in which those countries are dealing with what for them is a relatively new phenomenon. The consultation was also seen as an opportunity for heightening awareness and for discussing with the representatives of various countries the best way of identifying and combating the phenomenon, on the basis of the experience acquired by some organizations and countries that have been in the vanguard in this field.

22. Owing to failure of the United Nations fax service to send out letters of invitation, the consultation took place without the presence of a single government representative. Nevertheless, the participants, members of non-governmental organizations (NGOs) and national associations, and one Austrian woman parliamentarian, decided to proceed with the meeting and discuss the question in limited committee. They appealed for voluntary financial contributions to enable a regional seminar to be held in Europe, along the lines of the seminars held in Burkina Faso, for the African region, in 1991, and in Sri Lanka, for the Asian region, in 1994, as requested by the Sub-Commission in recent resolutions. The consultation reaffirmed the importance for the communities concerned, if violent resistance on their part was to be avoided that those addressing them should be members of their own community. Thus, the message would be legitimized by the legitimacy of the person delivering it. Participants also appealed to receiving countries not to use the struggle against harmful traditional practices for political purposes, stigmatizing the populations concerned and reinforcing prejudices and racism. It emerged from the discussions that countries which had been dealing with female genital mutilation for a considerable number of years had succeeded in considerably reducing its incidence, but were now having to deal with other practices such as forced marriages and crimes of honour.

23. All speakers were aware that all the practices concerned were a consequence of the status of women in some societies and that changing mental attitudes was the major task. In that connection, the importance was stressed of migrants - men, women and children - knowing the laws of the receiving country and, above all, speaking its language. The Special Rapporteur appealed for harmful traditional practices to be opposed without socially stigmatizing the foreign communities concerned, and lumping offenders and victims together. Any policy of combating such harmful practices should be conducted prudently and with respect for the societies concerned, and should be based on information, education and the raising of awareness. Punitive

measures should be utilized only as a last resort, except in the case of two harmful practices which fall within the domain of State authority and require immediate legislation - crimes of honour and dowry questions.

24. In the course of the discussion, the Austrian woman parliamentarian related how her country had reacted with amazement on discovering that female genital mutilation had become a serious problem there. She admitted that, while the knee-jerk reaction of a country contending with such a problem was to pass repressive legislation, it had become clear to a considerable number of parliamentarians and organizations active in the field that what above all was required was specific planning, adequate funding and, above all, active cooperation with the countries of origin. She was convinced that any policy for putting an end to such harmful practices as female genital mutilation should absolutely avoid stigmatizing the populations concerned and drawing comparisons with the evils of racism.

25. One of the women speakers working in France referred to the difficulties resulting from the use of the term "mutilation" rather than "excision" because the former entailed criminal prosecution. She outlined a French scheme for educating and raising the awareness of the persons concerned, the work being done with health professionals and social workers, and action on the legal level. Apart from female genital mutilation, forced marriages are an increasingly widespread practice in many receiving countries, including France. One of the major difficulties is that the girl victims of such marriages have dual nationality, which makes action involving third countries a more delicate matter. A women speaker working within the communities had been interested to find that the arguments used to justify "arranged", or "forced", marriages - the maintenance of tradition and family, social, religious and cultural cohesion; the fight against family dishonour; protection of the girl against "her bad instincts" - were the same as those already used to justify female genital mutilation.

26. The participants recognized the importance of the above problems in Europe and the necessity for a regional seminar to be held as early as possible. It would be ironical if, at the very time when the countries most directly affected by harmful traditional practices, and particularly female genital mutilation, should achieve relative success in their initiatives to combat them, the receiving countries should be inundated by them.

27. While preparing the present report, the Special Rapporteur received some extremely disturbing news. According to information supplied by the Sudan National Committee on Harmful Traditional Practices, a conference was held in May 2002 at the Women's College of Omdurman Islamic University in Sudan, under the auspices of the Ministry of Guidance and Endowment. During this conference, attended by doctors, scientists, religious leaders and NGOs, support was voiced for female genital mutilation as a superior form of female hygiene and a medical approach conforming to Islamic Shariah. Participants who sought to rebut those claims were accused of being in the pay of the West. Quite apart from the fact that such claims represent a retrograde step after more than 20 years of efforts in the fields of legal and medical action at the national, regional and international levels, the Special Rapporteur considers it extremely dangerous and irrelevant to involve the Islamic Shariah in the question of female genital mutilation. Since all statements, studies and analyses have clearly demonstrated that neither Islam nor any other religion advocates or justifies the practice, and Sheikh al Azhar, one of the authorities on the interpretation of Islamic principles, as well as the leaders of various

other religions in Africa, have not only spoken out against female genital mutilation but have denied its having any religious connotation, the speech in favour of this practice, delivered by a gynaecologist and what is more a woman, was, in the view of the Special Rapporteur both dangerous and unacceptable.

II. OTHER TRADITIONAL PRACTICES

A. Information supplied by Governments

28. Qatar and Tunisia have informed the Special Rapporteur that they have no legislation on harmful traditional practices since such practices do not occur in those countries. Tunisia referred to the forward-looking policy on the rights of women it had pursued since its independence. With reference to crimes of honour, Qatar stated that such practices could not take place since they were contrary to Islam.

29. Chile and Mexico also stated that harmful traditional practices such as female genital mutilation, crimes of honour and crimes associated with dowry did not exist in those countries. Nevertheless, the harmful consequences of acts of violence against women, particularly family violence, are sufficiently serious and frequent to be classed with traditional practices requiring concerted action at the national level. In Chile, violence against women is considered a social and public health problem, and the Ministry of Health has established a national mental and psychiatric health plan, with violence as one of its priorities. The plan comprises a series of measures and rules for promotion, prevention, and for the treatment and rehabilitation of victims of family violence, the majority of whom are women and children. In Mexico, the National Women's Institute in cooperation with other national bodies, is responsible, for the implementation of a 1999 directive on the provision of health services which are required to take account of family violence. A large number of inter-ministerial initiatives, involving various associations and organizations, are active against family violence, particularly violence against women and children. A major focus of all effective action is the struggle to end discrimination against women, which puts them at a particular disadvantage in gaining access to health services.

B. Other sources of information

30. On the basis of information supplied, the Special Rapporteur has made a brief, non-exhaustive, summary of events since August 2001 relating to harmful traditional practices that have emerged from the awareness campaign.

August 2001: An Iranian court condemned to death Said Ami, accused of having killed 16 prostitutes on the pretext that they had offended against the moral values of society.

August 2001: In Morocco, where this practice is not known, a father killed his daughter in front of her school on the pretext that she was keeping company with a boy from her school. The crime was unanimously condemned and the criminal sentenced to a very heavy penalty.

March 2002: A considerable number of artists and celebrities supported an Amnesty International campaign to denounce crimes of honour. The Secretary-General of Amnesty International cited a number of Asian countries where thousands of women have been subjected to cruel and barbaric treatment such as burns and mutilations.

April 2002: A Swedish court sentenced to life imprisonment a Kurdish father who killed his daughter because she refused an arranged marriage. This crime of honour profoundly shocked the entire country.

31. In spite of some positive developments in the struggle against harmful traditional practices, the need must be emphasized for the international community to pursue the struggle with patience and determination and to spare no effort to raise the awareness of and motivate Governments in whose territories very grave violations are endangering the life, security and health of women and young girls. The Special Rapporteur notes that the Plan of Action adopted at the special session on children of the United Nations General Assembly (A/S-27/19/Rev.1 (annex)) only once mentions the question of harmful traditional practices (para. 44, subpara. 9). It should be noted that the matter was mentioned in the context of the struggle against all forms of discrimination against women and young girls and of the need to strengthen their role and their position in society from the earliest age.

32. Credible information indicates that in Jordan, in May 2002, a girl was killed by her three brothers for having abetted the sexual relations outside marriage of her younger sister. The latter, who is pregnant, has been placed under preventive detention to avoid her being killed as well. This is said to be the fourth Jordanian woman killed in relation to crimes of honour since the beginning of the year. Taking account of the opposition the Jordanian and Pakistani Governments encounter in getting their Parliaments to pass an amendment condemning crimes of honour, the Special Rapporteur wonders whether it might not be advisable to bring this problem to the notice of the Inter-Parliamentary Union, since that body is committed to combating female genital mutilation. The problem of harmful traditional practices surrounding pregnancy and childbirth has recently led UNICEF to state that 515,000 women die each year from the consequences of badly managed pregnancies and deliveries. More than 90 per cent of these deaths occur in developing countries. It is regrettable to find that in this age of space travel, when an American and a South African have been willing to pay more than US$ 20 million to join a space crew, maternal mortality is practically the only field in which no progress is being made.

33. Ms. Bellamy, Executive Director of the United Nations Children's Fund, has formed the view that in this field, political will and the resources it generates are glaringly absent. While the Special Rapporteur shares Ms. Bellamy's opinion that this situation falls within the wider context of discrimination, it is important not to underestimate the impact of the financial situations of Third World countries, which have constantly to respond to priorities which they cannot afford to meet. Assistance programmes for such countries are indispensable and could enable the Governments concerned to make progress in this specific field.

34. It is therefore worth mentioning that in Morocco, for example, where, according to the representative of the United Nations Population Fund (UNFPA), maternal mortality is a burning crucial issue in a region where distances are very great, where women tend to give birth at home and where unexpected complications can arise, a programme supported by a partnership between UNFPA and Columbia University in New York has been the subject of an evaluation workshop. The programme, which is being conducted in 49 other countries, has as its objective the monitoring, follow-up and evaluation of needs and resources for urgent health care, obstetrics and maternity care, i.e. the management of complications of pregnancy, childbirth and the post-partum period. The Special Rapporteur congratulates UNFPA and Columbia University on this positive assistance to Governments and expresses the hope that UNFPA will raise the awareness of other universities and other partners in order to widen cooperation and to motivate Governments to accord this matter its proper place in their social development strategies.

35. In the Working Group on Contemporary Forms of Slavery, the Special Rapporteur has learned of the prevalence of certain practices involving the sexual exploitation of young girls in the framework of religious and spiritual beliefs, particularly the Devadasi system, which involves the offering of a young virgin to the master/idol, who, after having sexually and economically abused her, rejects her. These girls often finish up in prostitution, and their female descendants follow the same route. The Special Rapporteur has also received information from certain private individuals who have conducted investigations into this matter and other forms of exploitation of little girls similar to the Devadasi system. These little girls are "offered" to the master from the age of 8 or 9, and all come from economically poor and socially weak backgrounds. Such practices are the concrete expression of the negligible status of women and girl children in some societies.

C. General comments

36. The Special Rapporteur wishes to express her appreciation to the Special Rapporteur on violence against women, its causes and consequences and to the Special Rapporteur on freedom of religion or belief, who have both devoted their reports to harmful traditional practices, and also wishes to make some comments.

37. The Special Rapporteur has attempted to ascertain whether a link exists between harmful practices and religious intolerance, but her conclusion is that, in the majority of cases, the traditional practices enumerated in the report by Mr. Amor on religious intolerance (E/CN.4/2002/73/Add.2) derive from culture, not religion. The Special Rapporteur considers herself in duty bound to thank the Commission's two Special Rapporteurs for supporting the action of the Sub-Commission, which, ever since 1982, has taken up the challenge of bringing to the attention of the Commission on Human Rights the harmful effects of female circumcision and other traditional practices.

38. The Special Rapporteur takes note with interest of the preface to the report of Ms. Coomaraswamy on the integration of the human rights of women and the gender perspective (E/CN.4/2002/83) in which she announces that she has constituted a research team of experts around the world to assist her in reporting on cultural practices prejudicial to women. The

Special Rapporteur cannot, however, help feeling a certain pang of regret that unlike some experts, she herself has never had the good fortune to enjoy such facilities and to have available a budget from both the Human Rights Centre and the Office of the High Commissioner for Human Rights. This lack of financial aid has required a personal and financial effort in the preparation of reports which, contrary to what is stated in the first paragraph of the executive summary of Ms. Coomaraswamy's above-mentioned report, have caused the national and international community since 1988 to undertake an attentive examination of traditional practices affecting the health of women and the girl child. The Special Rapporteur is, however, grateful to have had the benefit in recent years of valuable assistance from a member of the Secretariat.

39. Here it should be mentioned that, in the report of the Working Group on traditional practices affecting the health of women and children, submitted to the Commission on Human Rights 15 years ago (E/CN.4/1986/42), the attention of Governments was drawn to the obligations they had assumed on becoming parties to international human rights instruments, and to the incompatibility between those obligations and the maintenance of traditional practices affecting the health of women and children. It was, indeed, thanks to the information regularly transmitted by the Sub-Commission to the Commission on Human Rights from 1988 onwards that six years later, in 1994, the Commission, after reviewing the majority of harmful traditional practices exposed and considered as acts of violence against women and the girl child, recognized other forms of non-traditional practices such as rape and violence within the family and decided in 1994 to appoint a Special Rapporteur on violence.

40. The Special Rapporteur is pleased to note that in paragraph 5 of her report, Ms. Coomaraswamy agrees with her about the importance of vindicating women's rights and involving women so that they can win those rights in a manner that allows them to be full participants in a community of their choosing. NGOs working in the field, particularly under the aegis of the Inter-African Committee, have for years fully realized the need to involve women in the struggle against harmful traditional practices. Accordingly, the Inter-African Committee has been a pioneer in the long-term task in Africa of raising the awareness of traditional societies, the victims, and all national players that might be able to make a contribution to the elimination of harmful practices. Its example deserves to be mentioned by way of encouragement.

41. It would seem from reading Ms. Coomaraswamy's report that the research team was not properly informed of what has been achieved internationally over the last 15 years. Indeed, the General Assembly itself, taking its cue from the work of the Sub-Commission has also decided to devote attention to harmful traditional practices, and over the past three years has adopted resolutions condemning them and requesting the Governments concerned to take the necessary measures.

42. It should also be mentioned that, at the request of the Sub-Commission, the Centre for Human Rights held a seminar in April-May 1991 on the African continent, and another in July 1994 in Sri Lanka, for the purpose of evaluating the impact of traditional practices on human rights. On the basis of these two seminars the Special Rapporteur submitted to the Sub-Commission a plan of action for the elimination of traditional practices affecting the health of women and children, and this plan was adopted by the Sub-Commission in August 1994.

43. Within reference to the exchange of views that should have taken place by cooperation between the Special Rapporteurs - as incidentally, required by the Commission on Human Rights - the Special Rapporteur wonders whether there is not a certain contradiction in paragraph 53 of Ms. Coomaraswamy's report, where it is stated on the one hand that lower-caste women are gang-raped and, on the other hand, that young girls are married off at an early age as protection against sexual assault from upper-caste men.

44. With regard to early marriage, the Special Rapporteur is convinced that only compulsory schooling and education of young girls up to the age of say 17, will make it possible to terminate the practice. Governments should therefore focus and promulgate laws to that effect, while at the same time making provision for incentive measures aimed at parents, particularly in rural areas, and for mechanisms for the application of sanctions. In this connection, the Special Rapporteur considers that any harmful practice that previously affected a given country, but no longer exists, should be consigned to history and left there.

45. In paragraph 86 of her report, Ms. Coomaraswamy states that in Morocco women (by which she means all women) wear heavy grey veils and white gags over their mouths when they leave the house. At a stroke we have Moroccan women transformed into Zorro figures or grey walking ghosts, which is not at all the case. It is regrettable that the Special Rapporteur did not include Morocco in her tour; she would have been able to see with her own eyes that the description produced by her research team by no means reflects reality. In Morocco, women are divided into three categories: those who wear the djellaba, or traditional robe, of various colours and with or without a scarf; those who wear western dress; and those who, whether wearing the djellaba or trousers, entirely cover their hair but leave their face uncovered. The dress code does not at all restrict the women's freedom of movement or right to expression. Consequently, the Special Rapporteur sees no connection between the dress code and the alleged violations. Finally, one might readily wonder, on reading paragraph 103 of the same document, what connection exists between, on the one hand, child marriage and forced marriage as means of regulating female sexuality and, on the other, incest, which is one of the worst forms of violence, and, incidentally, one practised in all countries without exception. That being said, the Special Rapporteur wishes to express her thanks to the Special Rapporteur on violence against women, its causes and consequences, for some items of information which she had been unable to obtain from Asian Governments or NGOs in spite of numerous approaches to them.

46. The Special Rapporteur also notes with satisfaction that the Special Rapporteur on freedom of religion or belief, Mr. Amor, has devoted the greater part of his report this year to practices harmful to the health of women and the girl child. She feels obliged, however, to point out that for a number of years she has been endeavouring to make clear that, in a large number of cases, harmful traditional practices do not derive from religion. She has particularly in mind female genital mutilation, crimes of honour, prostitution in general (with the exception of the cases cited in paragraphs 161, 162 and 163 of Mr. Amor's report), cruel treatment of widows, force-feeding, crimes associated with dowry and, to put it bluntly, incest.

47. The Special Rapporteur also notes with satisfaction that Mr. Amor indicates (in paragraph 94 of his report) that preference for the male child is explained, in varying degrees, by the existence of patriarchal models, discriminatory interpretation of religion, and specific considerations with economic overtones, and aimed at continuing the family line. These

considerations used to justify male-child preference would probably not long withstand the effect of women's work and education. The State must play a decisive role here in relation to the societies, families and communities concerned. Governments genuinely anxious to put an end to the third-rate citizen status of women in their societies should implement appropriate, concrete and judicious education, information and awareness policies directed at both victims and perpetrators of harmful traditional practices.

48. The Special Rapporteur entirely shares Mr. Amor's opinion that cultural practices harmful to women are at variance with religion or in contradiction with its precepts or spirit (para. 20 of his report). She likewise welcomes the statement in paragraph 79 that it is fundamental for the success of any action in that regard to make clear the ill-effects of certain practices on the health of women and children and their incompatibility with numerous human rights instruments, while at the same time avoiding stirring up disputes about cultural and a fortiori religious, rights and wrongs, or appealing to values which may appear alien or may conflict with the dominant values of traditional societies. Experience has proved that the best means of raising the awareness of communities affected by harmful traditional practices is to prove to them that these practices have no religious justification and that, by reason of their damaging effects on the health of victims, they must be eliminated. Emphasis should be given to the valuable contribution made by religious leaders in Africa to the struggle against female genital mutilation and other harmful practices by campaigning against and denouncing the erroneous exploitation of religions to perpetuate such practices.

49. The Special Rapporteur wishes to congratulate Mr. Amor on the thoroughness of his report, which is an excellent source of information for anyone interested in the many forms of discrimination against women and young girls in all fields, particularly on the physical and moral level, and in relation to the extreme dangers to which they are exposed in certain continents.

Conclusion

50. For over 15 years the Special Rapporteur has placed the discussion of harmful traditional practices in the context of the status of women in society. She therefore welcomes the fact that among the information supplied to her, many items view harmful practices as a socially legitimized form of violence against women. It is becoming increasingly clear that female genital mutilation, crimes of honour, forced marriages and other practices will not be eradicated until women are considered as full and equal members of the social, economic, cultural and political life of their communities. The various policies and actions aimed at terminating harmful practices must necessarily be directed towards strengthening the status of women in society from the earliest age.

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OTHER HUMAN RIGHTS ISSUES

CONTEMPORARY FORMS OF SLAVERY

Report of the Working Group on Contemporary Forms of Slavery on its twenty-seventh session*

Chairperson-Rapporteur: Mrs. Halima Embarek Warzazi

* The present report was submitted late because of the dates of the twenty-seventh session of the Working Group.

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Introduction

1. In its decisions 16 (LVI) and 17 (LVI) of 17 May 1974, the Economic and Social Council authorized the Sub-Commission to establish a five-member Working Group to review developments in the fields of slavery, the slave trade and slavery-like practices, of apartheid and colonialism, the traffic in persons and the exploitation of the prostitution of others, as defined in the Slavery Convention of 1926, the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, and the Convention of 1949 for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. The Working Group on Contemporary Forms of Slavery was established in 1975 and, by decision of the Economic and Social Council, has met regularly before each session of the Sub-Commission.

2. Because of restrictions concerning the limitation of the number of pages of the report, the Chairperson-Rapporteur of the Working Group regrets that it has not been possible for the report to contain an exhaustive account of the discussions. It does, however, give an extensive account of the debate concerning the priority issue.

I. ORGANIZATION OF THE SESSION

A. Opening and organization of the session

3. The Working Group held its twenty-seventh session from 27 to 31 May 2002, including nine meetings. The High Commissioner for Human Rights opened the session.

4. The members of the Working Group were: Mrs. Barbara Frey, Mr. Stanislas Ogurtsov, Mr. Paulo Sergio Pinheiro and Mrs. Halima Embarek Warzazi. The Working Group held its session without participation by a member from Asia.

5. In view of the reduced number of meeting days and the heavy schedule of the Working Group, a provisional timetable for the session was distributed at the second meeting.

B. Documentation

6. The Working Group had before it at its twenty-seventh session a number of background documents relevant to the issues being discussed, as well as documents prepared for the session.

C. Election of the Chairperson-Rapporteur

7. At the first meeting, the Working Group appointed Mrs. Warzazi Chairperson of its twenty-seventh session. In her introductory remarks, the Chairperson noted the importance of the priority issue of the session, exploitation of children, in particular sexual exploitation and domestic servitude. She pointed out that the Second World Congress against Commercial Sexual Exploitation of Children, held at Yokohama, Japan, had focused discussion on all types of sexual exploitation of children rather than on commercial exploitation alone. Discriminatory practices and certain traditional practices, but especially poverty, were among the principal

causes of exploitation of children. She expressed deep concern at information to the effect that members of United Nations bodies and humanitarian personnel in Liberia had been involved in cases of sexual exploitation of refugees.

D. Adoption of the agenda

8. A participant requested that the item relating to child labour should be specifically mentioned. That issue was therefore placed on the Working Group's provisional agenda as agenda item 5 (a) (iv).

9. At the first meeting, the Working Group adopted its revised agenda on the basis of the provisional agenda (E/CN.4/Sub.2/AC.2/2002/1).

II. EXPLOITATION OF CHILDREN, PARTICULARLY IN THE CONTEXT OF PROSTITUTION AND DOMESTIC SERVITUDE

10. In the framework of the general discussion on this point, Mr. Pinheiro, supported by Mr. Ogurtsov, drew attention to the need to consider all the agenda items in the context of globalization. He called for a mutually-supportive and ethical globalization that would bring an end to the perpetuation of poverty and exploitation. Mrs. Frey, acknowledged the validity of that point, but for her part stressed the role of compulsory, free primary education. The other members of the Working Group agreed with that point. Mr. Pinheiro informed the Group of the successful "school bursary" initiative in Brazil. The Chairman of the Board of Trustees of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery also called for the elimination of foreign debt. The money currently used for debt payments could be reinvested in the education sector. All those issues were extensively debated during discussions held throughout the Working Group's session.

11. Among the many speakers on this agenda item, some stressed that the harmful effects of domestic servitude and of prostitution were not quite comparable. However, trafficking, deceit, coercion and poverty, together with social hierarchy/discrimination, were common to all the testimonies that the Group heard. As all the organizations financed by the Voluntary Fund were working in the area of protection of children, they were able to share their experience with the Group. Numerous participants, supported by the members of the Working Group, noted that although the testimonies related to certain regions, all the world's regions were affected by such phenomena.

12. The members of the Working Group welcomed the participation in one of their sessions of the Vice-Chairperson of the Committee on the Rights of the Child, who provided them with information about the Committee's work. The Committee and the Working Group noted that cooperation was necessary and even indispensable.

13. As part of its discussion of trafficking of children, the Working Group heard the testimonies of numerous organizations concerning the trafficking of girls from Nigeria to Italy, through African countries such as Gabon and other countries such as the United Kingdom; trafficking from India to Nepal and Bangladesh and trafficking from Zambia and the Democratic Republic of the Congo to other countries. The question of the granting of visas and other travel

documents was given lengthy and extensive discussion throughout the session, one aspect being the granting of visas to minors. In that connection, it was stressed that in cases where travel documents were in order the authorities of the receiving country should not refuse to grant visas. The goal was to strike a balance such that action to combat trafficking would not penalize honest citizens wishing to obtain a visa.

14. Most of the testimonies indicated the extent to which corruption, in particular of State employees, was a factor conducive to perpetuating trafficking and other forms of exploitation. In addition, after hearing the testimonies the members of the Group felt it was crucial that they should be used to draw positive experiences. The Group might thus serve as an information clearinghouse.

15. In the context of child prostitution, the Group members noted that effective action to combat prostitution, in particular child prostitution, required studying the various factors favouring demand and making customers accountable.

16. Two organizations delivered statements about their experience and work in assisting young girls and teenage girls who had been victims of trafficking from Nigeria to third countries, for purposes either of sexual exploitation or domestic servitude. The two organizations, one of which worked in Nigeria and the other in Italy - one of the principal countries receiving such traffic - expressed concern at the growing number of victims of trafficking - according to reports more than 30,000 Nigerian women from 15 to 25 years of age were currently victims of prostitution in Italy - and at the fact that they were increasingly younger. According to testimony, girls as young as 13 were involved. Both organizations agreed that conditions of transport were extremely harsh - ageing ships, girls packed into trucks - and said that numerous cases of girls dying during transport had been reported. The girls were promised honest, well-paid work, and the opportunity to study or receive training in a foreign country, very often a western European country, where they ended up without papers, without resources and unable to speak the language of the country. They were forced to become prostitutes and controlled through fear, by use of traditional rituals such as voodoo and threats of reprisals against their families back in their home countries.

17. In that connection, the Working Group heard the testimony of one victim of such traffic, a Nigerian girl from a poor family who had been offered a job as a babysitter in Austria. After arriving in Austria without incident, she was immediately taken to Italy and handed over to a "madam" who kept her under her thumb by subjecting her to a voodoo ritual. She was subjected to death threats, beaten and forced to become a prostitute, partly to pay for her trip. Eventually, defying her fear and the members of the mafia, who control the traffic, she managed to escape. At that point she was found and taken in hand by the non-governmental organization attending the Working Group's session.

18. Some participants praised Italian legislation and Italy's protection programme, which provided protection and temporary residence permits to victims prepared to cooperate with the Italian authorities in identifying traffickers. They mentioned in particular article 18 of the law in question, which granted such women professional support for a renewable six-month period.

They noted, however, the need for cultural and linguistic training to contribute to their social integration and professional insertion. Some participants also appealed to the Italian Government to increase and systematize the granting of financial resources, referred to as emergency funds, to organizations working with victims of trafficking to Italy.

19. The Working Group also heard testimony from a Nigerian girl who had been the victim of forced domestic labour. At the age of nine she had been taken by her uncle from Nigeria to Gabon, where she had been due to enter school after a few months spent helping her uncle's wife, who was pregnant, with daily tasks. She described to the Working Group her harsh working conditions and the violent treatment she had undergone. After managing to escape she had been helped by an organization which had brought her back to her home and encouraged her to continue her studies. Now 19, the young woman was about to enter university.

20. All the members of the Working Group were moved by the victims' testimony. They appealed to the receiving countries not to make protection contingent on victims' cooperation with the authorities, as the girls were often terrorized, incapable of identifying the traffickers, unable to provide any useful information, and their families threatened with reprisals. Likewise, they did not believe that the victims' consent in any way exonerated the traffickers. Indeed, it was irrelevant whether the victims had been deceived for them to be regarded and treated as such.

21. The representatives of the Governments concerned by the discussion, Italy and Nigeria, were commended for their presence and participation. The permanent representatives provided the Working Group with extensive information about measures taken to combat trafficking. Both countries mentioned a bilateral agreement they had signed for the purpose of combating such trafficking.

22. The Working Group had before it information provided by two organizations financed by the Voluntary Fund concerning the trafficking of young women or even girls as young as 10 from Nepal or Bangladesh to be sold to brothels in India. Most often the victims of such trafficking worked in carpet factories or as domestic servants. The speakers noted the structural difficulties in repatriating and rehabilitating the victims. One speaker referred to her organization's positive experience in bringing criminal proceedings against traffickers in India. It had also managed to involve the authorities of the countries concerned, especially Nepal, which had led to the repatriation and social integration of many girls. The work of the organization in question was based on a network of organizations working in the cities involved and on support from the authorities, especially the local authorities. In that connection, the representative of Nepal submitted information on the initiatives taken by Nepal under article 20 of the Constitution to combat all forms of exploitation, in particular child bonded labour.

23. The Working Group received information about the situation of children in Zambia. Although education was free, it appeared that the dire economic situation of many children forced them to leave school. Poverty and the increase in the divorce rates and mortality rates of parents due to HIV compelled children to try to support themselves by taking to the streets. Orphans forced to care for their younger siblings took to begging. Many were victims of sexual exploitation or forced into domestic service, often by wealthier family members. Cases of sexual exploitation of children were aggravated by certain spiritual and religious beliefs. Many people

believed that sexual relations with virgins and children provided protection or even cures for certain diseases, in particular HIV/AIDS. Children were also victims of trafficking. Bogus scholarships were advertised over the Internet and girls were often trapped into paying for their transport in kind by becoming prostitutes on arrival at their destination.

24. One organization working in the Democratic Republic of the Congo, whose participation had been financed by the Voluntary Fund, described the case of street children accompanying blind beggars. Such children had no rights and were the victims of all sorts of abuse. Begging or prostitution represented their only possible future. The speaker noted that in many countries disability meant begging. She also provided information about girls, the youngest reportedly 9 years old, used as dancers for large orchestras. They had no contracts and were forced into prostitution with its attendant diseases, early pregnancies, trauma and abandonment. She also noted the extent to which war and its harmful effects strengthen the extreme vulnerability of entire sections of the population, always women, the most disadvantaged and the weakest.

25. The Working Group was provided with information about a project in Guatemala, aimed at helping street girls who had become prostitutes, and especially their babies. Poor management of rural exodus, the increase in shantytowns, poverty, family break-up - parents alcoholics or in prison, mothers often prostitutes - left such girls with no choice other than the street, begging or prostitution. Drugs, HIV and early pregnancies were the fate of such girls. The organization's work consisted of providing an alternative to the street - a shelter - and teaching such girls the basic steps involved in leading a normal life. Intensive work focused on the girls' babies in an effort to break the vicious circle of prostitution, drugs and violence.

26. The Working Group received specific information about the Yokohama World Congress. The NGOs welcomed the attention they had received from States throughout the process.

27. In the context of discussion focusing more specifically on domestic servitude involving children, the Working Group heard testimonies and studies on that issue in countries such as Uganda, the Philippines, India - in particular New Delhi - and Haiti, and from nationals of those countries. Most of the testimonies indicated that in a number of cases there was an evident link between trafficking, sexual exploitation, discrimination against women and their inferior status within societies and domestic bonded labour. In addition, many young prostitutes were former domestic servants who were victims of sexual abuse and early pregnancy and thrown into the street without resources or training that would have enabled them to find a job.

28. Various testimonies concerning restaveks in Haiti and domestic servants in the Philippines and Uganda, as well as an extremely well-documented study on domestic labour in New Delhi, made it possible to identify many common points among such domestic servants, namely their invisibility, their sex, the total arbitrariness of their work and treatment, the lack of recourse in cases of abuse and the lack of prospects for the future. Child domestic workers belonged to the most marginal category of the informal sector, and were therefore not covered by any kind of social welfare or other type of protection. Such domestic workers, a very large majority of whom were girls, were subjected to all sorts of abuse, especially sexual abuse. Their status as household servants deprived them of any opportunity for education or training, and the abuse which they underwent often drove them into the street and a life of prostitution. The need to devote special attention to such child domestic workers was underlined.

29. During the discussion, in particular discussion of child bonded labour, the representative of Pakistan told of numerous initiatives - recent and less recent - taken by her Government and of the relative success in implementing them; she regretted that they had not been sufficiently referred to.

30. The Working Group again had before it information about the conditions of child camel jockeys in the United Arab Emirates and other Gulf countries.

III. REVIEW OF THE IMPLEMENTATION AND FOLLOW-UP TO THE CONVENTIONS ON SLAVERY

A. Status of the conventions

31. For item 4 (a) of its agenda, the Working Group had before it reports on the status of the conventions on slavery (E/CN.4/Sub.2/AC.2/2002/2 and E/CN.4/Sub.2/AC.2/2002/3). As every year, the Working Group also had the list of countries which had not ratified the conventions.

32. A participant told the Group that, despite promising statements, no steps had been taken by the Government of the United Kingdom to ratify the 1949 Convention. The question was raised of updating the Convention for use in combating the exploitation of prostitution.

33. Mrs. Frey proposed using the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In that connection, the members of the Group, noting that the Protocol had been ratified by only seven States but that more than 100 States had signed it, made an appeal for the ratification of that instrument. The Chairman of the Voluntary Fund, for his part, stressed the importance of using the Convention on the Rights of the Child, which protected children against various forms of exploitation.

B. Review of information received regarding the implementation of the conventions and programmes of action

34. The Working Group had before it document E/CN 4/Sub.2/2002/2 containing replies from several States concerning the implementation of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography.

35. A participant recalled that he had been requested to submit an evaluation and study on the practical implementation of the two programmes of action adopted by the Commission on Human Rights as part of the commemoration of the tenth anniversary of the adoption of the Programme of Action for the Prevention of the Sale of Children. He said that he would be able to submit that information to the Working Group at its twenty-eighth session.

IV. REVIEW OF DEVELOPMENTS IN THE FIELD OF CONTEMPORARY FORMS OF SLAVERY AND MEASURES TO PREVENT AND REPRESS ALL CONTEMPORARY FORMS OF SLAVERY, INCLUDING THE CONSIDERATION OF CORRUPTION AND INTERNATIONAL DEBT AS PROMOTING FACTORS OF CONTEMPORARY FORMS OF SLAVERY

A. Economic exploitation

36. On this item, the Working Group had before it information concerning cases such as those of Indonesian domestic workers in certain Middle Eastern countries and domestic workers in India (Calcutta), as well as cases of debt bondage in Pakistan and India. It had received information on forced labour in Brazil, the Sudan and Myanmar. In that connection, participants referred to the legal difficulties, in certain cases, involved in determining whether a particular case was in fact one of economic exploitation - bonded labour, forced labour, etc. Most of the speakers agreed that the lack of a minimum wage was a decisive factor in such exploitation.

37. A participant provided the Working Group with the latest information on a subject regularly brought to its attention, the situation of bonded labourers in Sindh province in Pakistan. According to the information submitted, the Sindh High Court, which had received numerous requests from the Pakistan Human Rights Commission to free bonded labourers on the basis of the 1992 Bonded Labour System Abolition Act, had rejected the requests on the ground that the dispute between workers and landlords was a purely financial one and was limited to the workers' payment of their debt. The cases therefore fell within the purview of the 1950 Sindh Tenancy Act. That decision would prove to be disastrous, as all further requests for release of bonded labourers were being and would be rejected.

38. For the first time, the Working Group had also been provided with information on one of the most degrading tasks performed by untouchables (dalit) in South Asia, in particular India. Despite a 1993 law prohibiting such practices, according to some estimates, more than 1 million dalits a large majority of whom were women, performed such tasks, which consisted of cleaning up human and animal excrement and animal carcasses and transporting them for several kilometres by means of baskets carried on the head. The representative of India, while disagreeing with the accuracy of certain facts and certain of the figures put forward, provided the Working Group with detailed information about the different measures taken by the Government to combat such practices.

39. The Group also had before it the results of a study financed by the Voluntary Fund concerning domestic labour by women in New Delhi. One of the results of the study was that, of 96 per cent of working women in India, 92 per cent were in the informal sector. That situation, together with globalization and the new economic practices, reflected the large proportion of working women and their extreme vulnerability to exploitation.

40. During the discussion on forced labour, the Working Group welcomed the exhaustive and detailed information submitted by the representative of the International Labour Organization concerning the new programme to combat forced labour.

41. Information concerning forced labour in Brazil was submitted to the Working Group. The speaker regretted that, despite the 1998 law and the establishment of an ad hoc group responsible for its implementation, in an effort to release such workers, their numbers continued to increase. Impunity for employers and inadequate penalties when penalties were imposed, together with the lack of means available to the ad hoc group, were not conducive to effective action to combat forced labour. The Ambassador of Brazil had submitted an extremely detailed report on the measures taken by the Government to combat forced labour.

42. The Working Group had again received information concerning forced labour and slavery in the Sudan. According to the representative of the Sudan, the information submitted lacked objectivity and in fact was frequently groundless. In his view persisting cases of abduction of women and children were more an issue of tribal traditions than forms of slavery. He noted that the tribes concerned wished to cooperate in seeking a solution without government intervention.

43. New information about cases of slavery in Mauritania had also been submitted to the Group. In that connection, the Ambassador of Mauritania delivered a detailed statement pointing out the inaccuracy of many of the facts alleged and calling into question the information sources used by certain organizations.

B. Sexual exploitation

44. The Working Group took note of the information on the physical and psychological consequences of prostitution, which indicated that the consequences of prostitution were so harmful as to make it extremely difficult for those who had experienced it to return to a normal life.

45. A speaker expressed deep regret at the fact that Germany had followed the Netherlands example in legalizing prostitution.

46. The Working Group also had before it information concerning sexual exploitation of young girls in the framework of religious and spiritual beliefs, in particular the Devadasi system, which consisted of offering up a young virgin to the Master/Idol who would abuse her sexually and economically and then reject her. Such girls often ended as prostitutes, as did their female descendants.

C. Other forms of exploitation

47. A participant described to the Group a new information system which his company had developed to control Internet chat rooms enabling adults to chat with minors. The system would make it possible to trace the various Internet connections.

48. The Working Group received information about the problem of commercial exploitation of the organs of executed prisoners.

49. Some speakers mentioned cases of sexual and other types of exploitation committed by United Nations personnel, in particular peacekeeping forces. The members of the Working Group stressed the importance of examining and combating such practices, which were unacceptable.

50. Similarly, the representative of the Republic of Korea noted the crucial importance of the question of sexual slavery and sexual exploitation, especially from a historical perspective. In his view such issues deserved the continued attention of the Working Group.

V. ACTIVITIES OF THE SPECIAL RAPPORTEUR ON VIOLENCE AGAINST WOMEN

51. Under this item, Mrs. Frey welcomed the link between the activities of the Special Rapporteur on violence against women and the Special Rapporteur on traditional practices affecting the health of women and the girl child to one of the topics discussed by the Group, namely sexual slavery, in particular of girls, justified by or based on religious, spiritual and traditional beliefs.

VI. ACTIVITIES OF THE UNITED NATIONS VOLUNTARY TRUST FUND ON CONTEMPORARY FORMS OF SLAVERY

52. The Chairman of the Voluntary Fund, who had participated in the Group's entire session, gave a rapid general and financial assessment of the activities of the Board of Trustees. He stated that, on the basis of activities in 2001 and 2002, the Fund would need US$ 300,000 to fulfil its obligations in 2003.

53. The members of the Working Group made an appeal to that effect. They also pointed out the need to facilitate the granting of visas to representatives of organizations financed by the Fund to enable them to participate in the Group's work.

VII. RECOMMENDATIONS ADOPTED AT THE TWENTY-SEVENTH SESSION

A. General considerations

54. The Working Group on Contemporary Forms of Slavery considers that slavery, in all its forms and practices, is a crime against humanity and that any acquiescence by a State in such practices, irrespective of whether it has acceded to the conventions on slavery or any other relevant conventions, constitutes a grave violation of basic human rights.

55. A review of the information provided to the Working Group showed that despite some progress made in the protection of human rights all over the world, serious forms of slavery still existed and new insidious forms of slavery were emerging. The Working Group considered as a matter of priority the question of the exploitation of children, in particular in the context of child prostitution and domestic servitude. The issue of trafficking in persons, especially women and

children, illegal migration, smuggling and prostitution were also considered as well as bonded labour and debt bondage, child labour, forced labour, violence against women, the status of the conventions, and the activities of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery.

56. The Working Group took note with appreciation of the increased participation of non-governmental organizations in its session, in particular thanks to funding from the Voluntary Trust Fund, and expressed appreciation for their valuable contributions to its work. The Working Group welcomed the extremely positive participation of numerous government representatives. It wished to express its gratitude in particular to all those who not only attended the session but also answered queries from the members of the Working Group in a strong spirit of cooperation. The Working Group deeply regretted the recurrent absence of representatives of, in particular, UNESCO, UNICEF and WHO, as well as the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on violence against women. In that regard, it strongly reiterated the need for them to attend its future sessions. However, it welcomed the participation of senior officers of ILO, including the head of the International Programme for the Elimination of Child Labour (IPEC), and the information provided on their activities. It also welcomed the participation at one of its meetings of the Vice-Chairperson of the Committee on the Rights of the Child and reaffirmed the need to reinforce the cooperation between the Working Group and the Committee.

57. The Working Group congratulated all participants on the fruitful dialogue, the spirit of cooperation they had demonstrated and the positive atmosphere in which the deliberations had been conducted, and expressed the hope that this general attitude would continue in the future so as to fully develop the Working Group's potential to foster international cooperation in the consideration of these matters.

B. Recommendations

58. The following recommendations were adopted by the Working Group at its twenty-seventh session.

1. General

The Working Group on Contemporary Forms of Slavery,

Having devoted its twenty-seventh session to an overall evaluation of various contemporary forms of slavery,

Reaffirming that every woman, man and child has a fundamental right to be free from all forms of slavery and servitude,

Concerned that the treaties forbidding slavery and slavery-like practices have not been universally ratified,

1. Expresses its gratitude to all participants for the information relating to all forms of exploitation brought to its attention;

2. Considers that poverty, social exclusion, illiteracy, ignorance, armed conflicts and discrimination in all its forms are the main causes of contemporary forms of slavery and urges the specialized agencies of the United Nations to give particular attention to poverty and discrimination as factors leading to or perpetuating slavery and slavery-like practices and to include in their technical assistance programmes activities designed to eliminate slavery and slavery-like practices, as well as their causes;

3. Also considers that any sustainable development and globalization process should be based on the following principles in order not to help perpetuate forms of slavery: equity, equality, non-discrimination, access to public services, transparency and good governance;

4. Recommends that all States which are not parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956, the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others of 1949, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights be called upon to become parties as soon as possible and to enact any legislation necessary to ensure that their laws conform to the terms of those treaties;

5. Expresses its gratitude to the Secretary-General for submitting to the Working Group, in addition to the list of countries which have ratified the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949, a list of countries which have not yet ratified these instruments;

6. Expresses the hope that the Working Group will receive cooperation from all States, particularly the States most concerned, with regard to the annual issue selected by the Working Group, and invites non-governmental and intergovernmental organizations to provide information and testimonies with regard to the particular issue selected for consideration at the annual session of the Working Group;

7. Once again requests the Secretary-General to invite news agencies, the press, television and radio to contribute to the rapid elimination of slavery in all its contemporary forms by ensuring wide and effective publicity about existing cases of slavery, the slave trade, other slavery-like practices, trafficking in persons and exploitation of the prostitution of others, as well as the activities of the Working Group on Contemporary Forms of Slavery in this field; a similar campaign of awareness should be promoted by the Department of Public Information of the Secretariat and reported on at the twenty-eighth session of the Working Group.

2. Exploitation of children, particularly in the context of prostitution and domestic servitude

The Working Group on Contemporary Forms of Slavery,

Deeply concerned by the information provided to the Working Group on the exploitation of children as prostitutes and child domestic workers,

Noting the close relationship between trafficking, domestic servitude, prostitution and debt bondage,

Mindful that children are often trafficked both within countries and across borders in order to be exploited,

Recognizing that trafficked children and child domestic workers are extremely vulnerable to exploitation and need special preventive, protection and rehabilitation measures,

Stressing that the full implementation of the Convention on the Rights of the Child would be a major step towards eradicating child prostitution, domestic servitude and the worst forms of child labour, both in practice and by preventing the root causes of this exploitation,

Welcoming the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime as a tool for combating trafficking and exploitation of children,

Recognizing that poverty, illiteracy, misuse of some ritual practices and, above all, the low status of women and girls in society contribute to their being trafficked and exploited,

Concerned at the persistence and growth of the sale of children, child prostitution and child pornography, and aware of the necessity of combating these practices,

Recognizing that the practice of exploiting children as domestic servants violates the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, the International Labour Organization Convention (No. 29) concerning Forced or Compulsory Labour and the Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,

Concerned at increasing information and testimonies on abusive treatment of girls and women domestic workers,

1. Calls upon all States that have not already done so to ratify the ILO Worst Forms of Child Labour Convention (No. 182) (which includes trafficking, forced labour, debt bondage, forced recruitment into armed conflicts, commercial sexual exploitation and hazardous work) and calls upon States parties to Convention No. 182 to harmonize their national legislation with the Convention;

2. Also calls upon States to ensure that the worst forms of child labour, including all forms of sexual exploitation, trafficking, domestic servitude and any form of forced labour, are prohibited and that the penalties are commensurate with the crimes committed and that this legislation is properly enforced;

3. Urges States to make it a priority to implement national plans of action in line with Recommendation No. 190 accompanying ILO Convention No. 182;

4. Recommends that States incorporate into their plans of action measures such as the systematic issuance of birth certificates, the establishment of identification mechanisms for victims of trafficking; comprehensive rehabilitation measures, including access to education and vocational training, measures to fight corruption, and provision of support to NGOs in their efforts to include employers as active partners in ending the worst forms of child labour;

5. Urges States, while attempting ultimately to eliminate child labour and child domestic labour by, inter alia, enacting and implementing laws on compulsory and free primary education, to adopt and enforce measures and regulations to eliminate all discrimination against girls in education, skills development and training and to protect child workers, in particular child domestic workers, and to ensure that they are not exploited;

6. Calls upon intergovernmental agencies such as UNDP, UNICEF, WHO, UNESCO and ILO to assist States in their efforts to address poverty, social exclusion and illiteracy as root causes in the cycle that makes children vulnerable to the worst forms of child labour;

7. Recommends that ILO, while considering the issue of child labour, continue to give more emphasis to the issue of child domestic servitude by establishing additional country programmes for these children within its IPEC programme;

8. Welcomes the fact that over 100 States have signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and urges these and other States to ratify this instrument as soon as possible;

9. Calls upon States to ensure that the best interests of the child are at all times paramount in any programme or policy related to children subject to these forms of exploitation;

10. Encourages States to cooperate on a bilateral, regional and international basis, especially in the framework of South-South cooperation and with the assistance of non-governmental organizations, in order to address the problems associated with trafficking in children and the worst forms of child labour and to benefit from good practices in other countries;

11. Also encourages States to harmonize their legislation in the field of extradition to allow the extradition of traffickers to their country of origin for prosecution;

12. Invites States and interested NGOs to undertake research with a view to achieving a better understanding of the misuse of some ritual practices to intimidate women and girl victims of trafficking;

13. Calls upon UNESCO to assist States in introducing in schools and in parents' training programmes information about concrete initiatives aiming at helping children to protect themselves from trafficking;

14. Requests the Secretary-General to invite all States to inform the Working Group of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and report thereon to the Sub-Commission on the Promotion and Protection of Human Rights and the Commission on Human Rights at their next sessions;

15. Requests once again, in the framework of the commemoration of the tenth anniversary of the adoption of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, a non-governmental organization to prepare and submit to the Working Group at its twenty-eighth session in 2003 an assessment of its implementation, based on information provided by Governments and NGOs;

16. Takes note of the report of the new Special Rapporteur on the sale of children, child prostitution and child pornography to the fifty-seventh session of the Commission on Human Rights (E/CN.4/2002/88) and requests him, within the framework of his mandate, to continue to pay attention to issues relating to the traffic in children, such as organ transplantation, disappearances, the purchase and sale of children, adoption for commercial purposes or exploitation, child prostitution and child pornography;

17. Strongly encourages the Special Rapporteur to participate in the twenty-eighth session of the Working Group.

3. Traffic in persons and exploitation of the prostitution of others

The Working Group on Contemporary Forms of Slavery,

Noting that trafficking in human beings is a global phenomenon affecting every continent and which countries of origin, transit and destination all have a responsibility to address,

Reaffirming that prostitution is a practice that is incompatible with the dignity and worth of the human person and constitutes a source of serious violations of human rights,

Convinced that the demand for sexual exploitation plays a critical role in the growth and expansion of prostitution and sex trafficking worldwide,

Concerned that trafficking networks operate with impunity,

Concerned also that NGOs working to monitor the practice of trafficking and to assist its victims do their work at great personal risk from the criminal networks involved in the trafficking,

Deeply concerned at reports that traffic in persons and prostitution increasingly target victims on the basis of their race, colour, descent, or national or ethnic origin,

Convinced that trafficking in persons and exploitation of the prostitution of others reflect and reinforce racial prejudice and discrimination in contravention of the fundamental principles of the International Convention on the Elimination of All Forms of Racial Discrimination,

Aware that victims of prostitution and sex trafficking are systematically subjected to severe forms of physical and sexual violence that have a devastating impact on their physical and mental well-being,

Concerned at allegations that United Nations peacekeepers and police officers and humanitarian aid workers are engaging in trafficking, exploitation of prostitution and other forms of sexual exploitation among refugee and other vulnerable populations,

Recalling the Programme of Action on the Traffic in Persons and the Exploitation of the Prostitution of Others (E/CN.4/Sub.2/1995/28/Add.1) approved by the Commission on Human Rights in its resolution 1996/61,

Noting with satisfaction the adoption of the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution by the South Asian Association for Regional Cooperation (SAARC),

1. Urges States to ensure that their policies and laws do not legitimize prostitution as being the victims' choice of work;

2. Recalls that it is the existence of the demand for the sexual exploitation of women and children that perpetuates trafficking and prostitution and calls upon States, in particular those developed countries where there is a large clientele for this traffic, to take effective measures to punish those who purchase the sexual services of others;

3. Calls upon States to provide protection, assistance and temporary residence permits to victims that are not contingent on their cooperation with the prosecution of their exploiters, as articulated in articles 6, 7 and 8 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;

4. Urges sending, transit and receiving States to establish or reinforce their cooperation with the goal of the prevention of trafficking and prostitution, the prosecution of traffickers and other sexual exploiters and the provision of assistance and rehabilitation to victims;

5. Urges States to develop, adopt and implement regional instruments such as the SAARC Convention, aimed at regional cooperation in the investigation and prosecution of trafficking cases, the prevention of trafficking and prostitution on a regional basis and the provision of assistance to victims;

6. Also urges States to initiate community-based prevention programmes, especially in high-risk areas, to educate people on the tactics of recruiters and traffickers and on the risks of sexual exploitation;

7. Recommends the creation of special observatories at the national and regional levels to gather information from non-governmental organizations and individuals with relevant expertise in order to further the goals of the Programme of Action on the Traffic in Persons and the Exploitation of the Prostitution of Others (E/CN.4/Sub.2/1995/28/Add.1);

8. Calls upon United Nations bodies and agencies to develop and implement codes of conduct that prohibit all forms of sexual exploitation by United Nations employees and contract workers and humanitarian aid workers;

9. Invites the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Human Rights Committee to elaborate general recommendations in order to clarify reporting procedures with regard to victims of trafficking, in particular for purposes of prostitution and exploitation of the prostitution of others, as provided in the 1949 Convention;

10. Decides to consider the complex issues of the support, assistance and protection of victims of trafficking in host countries as a separate sub-item in the agenda of the Working Group in 2003.

4. Bonded labour and debt bondage

The Working Group on Contemporary Forms of Slavery,

Recalling article 4 of the Universal Declaration of Human Rights, which proclaims that no one shall be held in slavery or servitude, and the provisions of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956, in particular its article 1 (a) prohibiting debt bondage,

Welcoming the efforts of Member States to combat debt bondage by adopting laws prohibiting debt bondage and by establishing procedures to investigate individual and other reports of debt bondage and to free those involved,

Bearing in mind that corruption may be responsible for the perpetuation of this abhorrent practice,

Convinced that basic education for all is a key condition for enabling bonded labourers to escape from servitude and that the provision of compulsory primary education for all, especially in rural areas, will reduce the number of bonded labourers,

1. Urges States that have not yet done so to introduce comprehensive legislation to prohibit bonded labour in all its forms, as a matter of urgency, including provisions for the punishment of any future employers of bonded labourers; this legislation should include measures of compensation for having been subjected to bonded labour and debt bondage, rehabilitation assistance including, at a minimum and where applicable, the grant of enough land to sustain a single family throughout the year, and legal provisions to protect the beneficiaries' ownership and occupation of such land;

2. Also urges the States concerned to carry out independent and comprehensive surveys, by regional district, to identify the number and location of people held in debt bondage; these surveys should provide a statistical breakdown of the number of men, women and children in bonded labour, including their membership of a minority group. Broad mapping and data collection are encouraged in countries and regions where bonded labour has not already been documented to ascertain whether a problem exists and more detailed surveys are needed;

3. Supports public information campaigns which specifically target victims and perpetrators and which could explain that bonded labour is illegal, that bonded labourers do not have to repay debts and are eligible for compensation, and that those who have exploited workers through debt bondage are liable to prosecution;

4. Encourages training schemes, in cooperation with the appropriate local organizations, to ensure that all officials (district magistrates, judges, police, immigration officials, etc.) and key members of the general public understand the law and how it prohibits bonded labour, and play their role in properly enforcing it;

5. Calls upon States to provide support to organizations assisting victims of bonded labourers, particularly when they face harassment and threats;

6. Calls upon United Nations bodies and specialized agencies and intergovernmental organizations such as UNICEF, WHO, ILO, UNDP and others to develop joint programmes in order to break the cycle of poverty and social exclusion which makes people vulnerable to exploitation through bonded labour;

7. Urges States to design and implement effective programmes to prevent and eliminate bonded labour which will incorporate a comprehensive development programme. Such programmes should address: access to education, including vocational training and other practical training and basic health care; land reform and fairer leasing arrangements; provision of stable employment and the enforcement of the minimum wage;

8. Recommends that all competent United Nations organs, specialized agencies, development banks and intergovernmental agencies involved in development initiatives take action to contribute to the elimination of debt bondage, in particular by the provision of alternative sources of credit to bonded labourers;

9. Recommends the creation of an inter-agency group, operational at the local level and responsible at the national level, in the affected countries which would involve the various government departments, trade unions, employers' organizations, NGOs and community groups in eliminating the practice of debt bondage;

10. Calls upon national authorities to implement strictly the legislation related to bonded labour; the number of prosecutions brought, successful convictions obtained and sentences passed against those using bonded labourers should be recorded and made public on a regular basis.

5. Elimination of child labour

The Working Group on Contemporary Forms of Slavery,

Convinced that compulsory and free primary education of boys and girls is an essential tool to combat child labour and the phenomenon of street children,

1. Calls upon States to ensure that all boys and girls benefit from free compulsory education, as provided in the Convention on the Rights of the Child and other treaties;

2. Urges all States, while attempting ultimately to eliminate child labour, to adopt measures and regulations to protect child labourers, to ensure that they are not exploited and to prohibit their labour in hazardous occupations, in accordance with the provisions of ILO Convention No. 182, unless national legislation provides for more protective standards;

3. Invites the international community to cooperate in developing viable alternatives to child labour, in particular for young girls;

4. Requests the Secretary-General to invite all States to continue to inform the Working Group of measures adopted to implement the Programme of Action for the Elimination of the Exploitation of Child Labour.

6. Forced labour

The Working Group on Contemporary Forms of Slavery,

Taking note of the new ILO Programme of Action to combat forced labour, in particular its technical and cooperative programmes in various States,

1. Reaffirms once again that forced labour is a contemporary form of slavery;

2. Invites the States concerned to introduce consolidated legislation on forced labour;

3. Recommends that the States concerned take urgent action to speed up criminal proceedings, secure successful prosecutions and apply effective sanctions against all those using forced labour;

4. Also recommends that States make detailed information publicly available regarding the prosecution and punishment of those using forced labour and carry out an appraisal of the impact of such practices;

5. Decides to consider as a matter of priority at its twenty-ninth session (2004) the issue of forced labour, in light of the new ILO Programme of Action.

7. Migrant workers and domestic migrant workers

The Working Group on Contemporary Forms of Slavery,

Noting that migrant workers are frequently subject to discriminatory rules and regulations which undermine their human dignity, including being forced to live separately from their spouses and their minor children, sometimes for extended periods, and that they are often victims of violence, racism and xenophobia,

Concerned at cases of migrant domestic workers who are unpaid, subjected to various abuses and deprived of all their rights,

Calling attention to the exploitation of individuals using smuggling networks, and especially debt bondage resulting from payment of smugglers,

Taking note of the report submitted by the Special Rapporteur on the human rights of migrants at the fifty-seventh session of the Commission on Human Rights (E/CN.4/2002/94),

1. Strongly condemns practices of unequal treatment of migrant workers and the denial of their human dignity;

2. Urges Governments to take all measures to protect migrant workers from the above practices;

3. Also urges Governments to ensure that protective regulations govern the employment situation of migrants and provide for safe conditions of work;

4. Urges States to investigate and prosecute those responsible for illegal immigration channels used to purchase false documents for migrants who are being trafficked;

5. Also urges States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly in its resolution 45/158;

6. Further urges States to take the necessary measures to prohibit and punish those who confiscate passports belonging to migrant workers, in particular migrant domestic workers;

7. Recommends that non-governmental organizations pay particular attention to the grave problems affecting migrant workers and provide the Working Group with information in this regard.

8. United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

The Working Group on Contemporary Forms of Slavery,

Recalling General Assembly resolution 46/122 of 17 December 1991, by which the Assembly established the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery,

Recalling also resolution 2001/19 of 16 August 2001 adopted by the Sub-Commission on the Promotion and Protection of Human Rights,

Recalling further the close relationship between the mandate and the activities of the Working Group and those of the Board of Trustees of the Voluntary Trust Fund, and the necessary cooperation between them,

Expressing its gratitude to Governments, organizations, trade unions and individuals, including young students, who have contributed to the Fund and encourages them to continue doing so,

1. Considers that the participation at the twenty-seventh session of the Working Group of eight representatives of non-governmental organizations working in six different countries in Africa, Asia and Europe financed by the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery including victims of contemporary forms of slavery, is a valuable contribution to the work of the Working Group;

2. Invites the Board of Trustees of the Fund to continue to promote the participation at the annual sessions of the Working Group of individuals and organizations from as large a number of countries as possible, in accordance with the priorities established in the agenda of the Working Group;

3. Notes with satisfaction that 21 project grants were provided by the Fund to local non-governmental organizations which work on issues of contemporary forms of slavery and that three project leaders attended the session and reported on the implementation of their project;

4. Invites the Government of Switzerland to facilitate the prompt and free issuance of visas to beneficiaries of travel grants by the Fund in order to enable them to attend the sessions of the Working Group, in accordance with General Assembly resolution 46/122;

5. Welcomes the participation of the Chairman of the Board of Trustees of the Fund at the present session of the Working Group and encourages the Chairman and/or another member of the Board to attend the next session of the Working Group;

6. Expresses its support for the work of the members of the Board of Trustees of the Fund, in particular their fund-raising activities;

7. Recalls the appeal made by the General Assembly in its resolution 46/122 to all Governments to respond favourably to requests for contributions to the Fund, urges them and non-governmental organizations, other private or public entities and individuals to contribute to the Fund, and encourages them to do so in order to enable the Fund to fulfil its mandate effectively in the year 2003.

9. The role of corruption in the perpetuation of slavery and slavery-like practices

The Working Group on Contemporary Forms of Slavery,

Aware of the negative impact of corruption on the full enjoyment of all human rights and fundamental freedoms,

Convinced that corruption at different levels contributes to the perpetuation of slavery and slavery-like practices, as confirmed by information received,

1. Urges once again all States to take adequate steps to monitor and enforce laws, particularly as they relate to slavery, slavery-like practices and corruption, including trafficking in and exploitation of the prostitution of women and children;

2. Urges States to adopt and enforce legislation that prohibits corruption, including that committed by public officials;

3. Encourages States to take measures aimed at improving the training and professionalism of law enforcement personnel, as well as their respect for human rights.

10. Misuse of the Internet for the purpose of sexual exploitation

The Working Group on Contemporary Forms of Slavery,

Aware that individuals, groups and crime syndicates use the Internet to traffic in, exploit and violate the rights of women and children, many of whom are in situations of vulnerability as a result of poverty, social dislocation, and racial and ethnic discrimination,

Convinced that heightened awareness of the harm to women and children of sexual exploitation, together with the political will to combat this harm, will significantly reduce the impact and volume of pornography involving women and children and the extent of trafficking and sexual exploitation for the purpose of prostitution through the Internet,

1. Recommends that Governments, as a matter of priority, review, amend and enforce existing laws, or enact new laws, to prevent the misuse of the Internet for the distribution of pornographic images and the promotion of trafficking for the purpose of prostitution and the sexual exploitation of women and children;

2. Urges Governments to act more forcefully to eliminate traffic in persons, exploitation of the prostitution of others and sexual exploitation through the Internet, and to consider setting up a mechanism aimed at better control of the Internet when abused for those purposes;

3. Requests Governments to investigate and use as evidence of crimes and acts of discrimination advertising, correspondence and other communications over the Internet to promote sex trafficking, the exploitation of prostitution, sex tourism, bride trafficking and rape;

4. Recommends that Governments, research institutions, enforcement authorities, industry, NGOs and others develop and make available technological filtering devices designed to eliminate the distribution of pornographic images of women and children via the Internet and to ensure the safety of children using Internet chat rooms;

5. Calls for new levels of cooperation among Governments and national and regional law enforcement bodies in order to combat the misuse of the Internet to promote and carry out acts of trafficking for the purposes of sexual exploitation, sex tourism, sexual violence and sexual exploitation; especially pornography involving women and children.

11. Miscellaneous

The Working Group on Contemporary Forms of Slavery,

Taking note of the information received,

Welcoming the participation of young students from the United Kingdom of Great Britain and Northern Ireland and their substantive contribution to the work of the Working Group,

1. Decides to continue to give consideration to the issue of traffic in children's organs and tissues at its next session;

2. Also decides to continue the consideration, on a biennial basis as of 2001, of issues such as forced marriage and ways to combat sexual abuse of children inside the family, including the urgent need for adequate help to be offered to victims of such practices;

3. Further decides to consider as a matter of priority at its twenty-eighth session in 2003 the issue of contemporary forms of slavery related to and generated by discrimination, in particular gender discrimination, focusing attention on abuses against women and girls such as forced marriage, child marriage and sale of wives;

4. Appeals to all Governments to send observers to the meetings of the Working Group;

5. Encourages youth organizations and young persons from various non-governmental organizations to participate in the meetings of the Working Group;

6. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining the periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, and include in their general comments and recommendations an item concerning contemporary forms of slavery;

7. Also recommends that the supervisory bodies of ILO and the UNESCO Committee on Conventions and Recommendations give particular attention in their work to the protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, the issue of street children, child beggars, child camel jockeys and child manual scavengers, as well as bonded labour and the traffic in persons;

8. Once again requests the Secretary-General to transmit to the committees mentioned above, the special rapporteurs concerned and the Working Group on Enforced or Involuntary Disappearances the recommendations of relevance to them and the report of the Working Group;

9. Requests the Secretary-General to give effect to his decision to reassign to the Working Group a Professional staff member of the Office of the High Commissioner for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Office on issues relating to contemporary forms of slavery, in accordance with Commission on Human Rights resolutions 1996/61 and 1999/46;

10. Requests non-governmental organizations to disseminate information about the work of the Working Group as widely as possible;

11. Recognizes the advantages of continuity of the membership of the Working Group, while acknowledging that the designation of any member to participate in any working group of the Sub-Commission is within the realm of the regional groups of the Sub-Commission;

12. Decides that it will invite those Governments which have information relating to the priority issue to be discussed at the next session of the Working Group to assist the Working Group by providing the information either in advance or at that session.

Annex

PROVISIONAL AGENDA FOR THE TWENTY-EIGHTH SESSION OF THE WORKING GROUP ON CONTEMPORARY FORMS OF SLAVERY

1. Election of officers.

2. Adoption of the agenda.

3. Contemporary forms of slavery related to and generated by discrimination, in particular gender discrimination (such as forced marriage, child marriage, sale of wives).

4. Review of the implementation of and follow-up to the conventions on slavery:

   (a) Status of the conventions;

   (b) Review of information received regarding the implementation of the conventions and programmes of action.

5. Review of developments in the field of contemporary forms of slavery and measures to prevent and repress all contemporary forms of slavery, including the consideration of corruption and international debt as promoting factors of contemporary forms of slavery:

   (a) Economic exploitation:

      (i) Domestic and migrant workers;

      (ii) Bonded labour and debt bondage;

      (iii) Child labour;

      (iv) Forced labour;

   (b) Sexual exploitation:

      (i) Suppression of the traffic in persons and the exploitation of the prostitution of others;

      (ii) Support, assistance and protection of victims of trafficking, in particular in host countries;

      (iii) Sexual exploitation of children and activities of the Special Rapporteur on the sale of children, child prostitution and child pornography;

   (c) Activities of the Special Rapporteur on violence against women.

6. Other forms of exploitation:

   (a) Illegal activities of certain religious and other sects;

   (b) Traffic in children's organs and tissues;

   (c) Miscellaneous, including slavery-like practices in armed conflicts.

7. Activities of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery.

8. Adoption of the report of the Working Group to the Sub-Commission on the Promotion and Protection of Human Rights on its twenty-eighth session.